

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

UNITED STATES OF AMERICA,
Plaintiff,

v.

Marc CLIFFORD COENEN,
Defendant.

Criminal No. 99-332 (DRD)

**UNITED STATES OF AMERICA'S RESPONSE IN OPPOSITION TO DEFENDANT'S
MOTION REQUESTING EARLY TERMINATION OF SUPERVISED RELEASE**

TO THE HONORABLE COURT:

COMES NOW the United States of America, by and through the undersigned attorneys, and very respectfully states and prays as follows:

1. On July 14, 2006, defendant filed a Motion Requesting Early Termination of Supervised Release Made Pursuant to 18 U.S.C. Section 3583(e)(1). (Document 122).
2. On July 27, 2006, the Court granted the United States ten (10) days to express the Government's position. (Docket Entry 125).
3. Once a defendant has served at least one year of supervised release, the Court may terminate the remainder of the supervised release term and discharge the defendant "if it is satisfied that such action is warranted by the conduct of the defendant released *and* the interest of justice." Title 18, United States Code, Section 3583(e)(1). (Emphasis added). In making its determination, the Court must consider the factors set forth in Title 18, United States Code, Section 3553, specifically (a)(1), (a)(2)(B), (a)(2)(C), (a)(2)(D), (a)(4), (a)(5), (a)(6), and (a)(7). Id.

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4. The defendant has failed to articulate any grounds warranting early termination, has failed to provide the court with any information regarding the conduct of the defendant while on release, has failed to address how early termination of supervised release is within the interests of justice, and has failed to analyze the factors set forth in Section 3553 to assist the Court in making its determination.

WHEREFORE, the United States respectfully requests the Court **DENY** defendant's motion in its entirety.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, this 3rd day of August, 2006.

ROSA EMILIA RODRÍGUEZ-VÉLEZ
United States Attorney

s/Scott Anderson
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Certificate of Service

I HEREBY CERTIFY that on this 3rd day of August, 2006, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification to Ms. Maria Sandoval, Counsel for Defendant.

s/Scott Anderson
Assistant United States Attorney